

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKUSDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 3/14/2024----- X
HILARY BEST,

Plaintiff,

1:21-cv-779-GHW

-v-

JAMES MERCHANT, *et al.*,

Defendants.

ORDER----- X
GREGORY H. WOODS, United States District Judge:

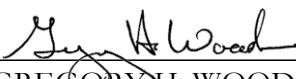
On March 13, 2024, pursuant to the Court's *Valentin* order, Defendants identified the Sgt. Jane Doe associated with the November 28, 2012 incident in Plaintiff's fourth amended complaint as Captain Stephanie Negron. Dkt. No. 144. Accordingly, Plaintiff may submit a fifth amended complaint includes Captain Negron within 30 days of receiving Defendants' March 13, 2024 letter identifying Captain Negron.

The Court reminds Plaintiff that any new complaint will become the operative filing in this case and will replace his fourth amended complaint. Therefore, the fifth amended complaint must include all factual allegations against all defendants named in the fourth amended complaint. In addition, the Court has not granted Plaintiff leave to include any new factual allegations in the fifth amended complaint. Therefore, Plaintiff may not include any factual allegations in the fifth amended complaint—aside from identifying the conduct in which he alleges Captain Negron participated—that did not appear in the fourth amended complaint.

The Clerk of Court is directed to mail a copy of this order to Plaintiff.

SO ORDERED.

Dated: March 14, 2024
New York, New York



GREGORY H. WOODS
United States District Judge